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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,626	01/30/2001	Mitsuru Kuroda	Q62784	1257

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
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EXAMINER

LE, LANA N

ART UNIT PAPER NUMBER

2685

10

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,626

Applicant(s)

KURODA, MITSURU

Examiner

Lana N Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 9-12 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 13 is/are rejected.
- 7) ☒ Claim(s) 8 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments, see page 9, filed 02/02/04, with respect to claims 8 and 14 have been fully considered and are persuasive. The 112 rejection of claim 8 has been withdrawn and the hindsight reasoning of a design choice of claim 14 is withdrawn.

Regarding claim 4, the cited prior art discloses the display device 36, 38, and 30 is adjustable made from a position in figure 2 to a position shown in figure 3.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-7 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Richard (US 5,633,762).

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Regarding claim 1, Richard discloses a portable radio device 10 (figs. 3,6; col 10, lines 21-34) comprising:

a display device 36, 38, 30 having an information display function for projecting light rays of a displayed image (col 8, lines 25-45; col 6, lines 14-22, lines 44-46);

a lid 20 with a reflecting member 30 (fig. 2) for reflecting the light rays of the displayed image at an enlarged scale through 30 and 18 (col 5, lines 30-50; col 7, lines 22-27);

wherein the lid 20 and the display device 36, 38 being adjustable in their positional relationship for applying light rays of a displayed image projected from the display device to the reflecting member (fig. 1; col 5, lines 30-39; col 6, lines 46-50).

Regarding claim 2, Richard further discloses a portable radio device according to claim 1, for use as a portable telephone set (figs. 3,6; col 10, lines 21-34).

Regarding claim 3, Richard further discloses a portable radio device 10 according to claim 1, further comprising:

a casing 31 (fig. 1);

the lid 20 being angularly movably coupled to an end of the casing by a hinge mechanism 42 (fig. 1; col 7, lines 3-21);

the display device 36, 38, 30 being positioned with respect to the lid such that when the lid 20 is angularly moved and held at a given angle from a position in figure 2 to a position in figure 3 (col 6, lines 46-50), the light rays of the

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displayed image are reflected by the reflecting member 30 at an enlarged scale through 30 and 18 (col 5, lines 30-45; figs. 2 & 3).

Regarding claim 4, Richard further discloses a portable radio device according to claim 3, wherein the display device 36, 38, 30 is angularly movable for positional adjustment (col 6, lines 6-25; col 6, lines 46-50).

Regarding claim 5, Richard further discloses a portable radio device according to claim 3, for use as a portable telephone set (figs. 3,6; col 10, lines 21-34).

Regarding claim 6, Richard further discloses a portable radio device according to claim 3, wherein the small-size display device 36, 38 is mounted on the casing 31 (fig. 1).

Regarding claim 7, Richard further discloses a portable radio device according to claim 6, wherein the display device 36, 38 is angularly movable for positional adjustment (col 6, lines 6-25).

Regarding claim 13, Richard further discloses a portable radio device according to claim 1, wherein the display device 36, 38 comprises a projection LCD to receive an image from image generator 46.

Allowable Subject Matter

2. Claims 8 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 8, Richard discloses a portable radio device according to claim 3, wherein the cited prior art fails to further disclose the small-size display device is mounted on the flat lid.

Regarding claim 14, Richard further discloses a portable radio device according to claim 1, wherein the cited prior art didn't further disclose the reflective member is concaved.

3. Claims 9-12 were objected to as being dependent upon a rejected base claim, but and are allowable since they are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 9, Richard (US 5,633,762) discloses a portable radio device comprising:

- a display device 36, 38 having an information display function for projecting light rays of a displayed image (col 8, lines 25-45; col 6, lines 14-22, lines 44-46);

- a lid 20 with a reflecting member 30 (fig. 2) for reflecting the light rays of the displayed image at an enlarged scale through 30 and 18 (col 5, lines 30-50; col 7, lines 22-27);

- a casing 31;

- wherein the lid 20 and the display device 36, 38 being adjustable in their positional relationship for applying light rays of a displayed image projected from the display device to the reflecting member (fig. 1; col 5, lines 30-39).

However, the cited prior art fails to further disclose:

- a module casing detachably connected to the casing;

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wherein the display device being mounted in the module casing, the lid being angularly movably coupled to an end of the module casing by a hinge mechanism.

Regarding claim 10, the cited prior art fails to further disclose a portable radio device according to claim 9, wherein the module casing has an external interface connector, and the casing has a connector which electrically connects the casing to the external interface connector, the module casing being structurally connected to the casing by the connector.

Regarding claim 11, the cited prior art fails to further disclose a portable radio device according to claim 9, wherein the small-size display device is angularly movable for positional adjustment.

Regarding claim 12, the cited prior art fails to further disclose a portable radio device according to claim 9, for use as a portable telephone set.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory


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period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana Le whose telephone number is (703) 308-5836. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


June 8, 2004

Lana Le

 6/10/04

QUOCHIEN B. VUONG
PRIMARY EXAMINER